

### DETAILED ACTION

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after allowance or after an Office action under *Ex Parte Quayle*, 25 USPQ 74, 453 O.G. 213 (Comm'r Pat. 1935). Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, prosecution in this application has been reopened pursuant to 37 CFR 1.114. Applicant's submission filed on 8/22/2011 has been entered.

### ***Allowable Subject Matter***

2. The following is an examiner's statement of reasons for allowance: The closest prior arts of record (Horlick WO 9724127; US 6,455,714 B1) do not teach or reasonably suggest a composition of vitamin D derivative of formula (I) wherein biotin moiety is linked to 1 $\alpha$ ,25-dihydroxy vitamin D derivative through an ether linkage and an antibody that specifically binds 1 $\alpha$ ,25-dihydroxy vitamin D for measurement of 1 $\alpha$ ,25-dihydroxy vitamin D in a sample. The instant application teach that the 1 $\alpha$ ,25-dihydroxy vitamin D derivative having an ether linkage is surprisingly stable with respect to light, storage and serum that allow competitive and high sensitive determination of 1 $\alpha$ ,25-dihydroxy vitamin D (page 7, lines 8-18; page 8, lines 17-24 and page 22, lines 17-22).

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably

accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

***Conclusion***

3. Claims 16 and 19-28, now renumbered as 1-11 respectively, are allowed.
4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shafiqul Haq whose telephone number is 571-272-6103. The examiner can normally be reached on 7:30AM-4:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mark L. Shibuya can be reached on 571-272-0806. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Shafiqul Haq/  
Primary Examiner, Art Unit 1641